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**MANNING & KASS
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Attorneys for Defendant,
TARGET CORPORATION

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MICHELLE ARENDES,

Plaintiff,

v.

TARGET CORPORATION and DOES 1 to
10,

Defendants.

Case No.: 1:21-at-00790

(State Court Case No. FCS056661)

**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. § 1441(B) (DIVERSITY);
DECLARATION OF DAVID V. ROTH;
DEMAND FOR JURY TRIAL**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant TARGET CORPORATION (“Target”) will and hereby does remove to this Court the state court action described below.

1. On June 10, 2021, Plaintiff Michelle Arendes filed this action in the Superior Court of California, County of Contra Costa, as case number FCS056661. A true and correct copy of the Summons and Complaint is attached hereto as Exhibit A.

2. Target accepted service of Plaintiff’s Complaint on June 24, 2021. A true and correct copy of the Service of Process Transmittal is attached hereto as Exhibit B.

3. On July 30, 2021, Target filed its Answer to Plaintiff’s Complaint. A true and correct copy of Target’s Answer is attached hereto as Exhibit C.

4. On information and belief, Plaintiff Michelle Arendes is, and was, at the time she

1 filed this action, a citizen of the State of California.

2 5. Target is a Minnesota corporation with its principal place of business located in
3 Minneapolis, Minnesota.

4 6. Target is the only named defendant; the other defendants in this action are fictitiously
5 named and designated as “Does 1-10,” but their citizenship is not considered when determining
6 diversity jurisdiction. 28 U.S.C. § 1441(b)(1).

7 7. On June 24, 2021, Plaintiff served a Statement of Damages indicating that she is
8 seeking damages from Target in the amount of \$340,000. A true and correct copy of Plaintiff’s
9 Statement of Damages is attached hereto as Exhibit D.

10 8. This action is a civil action, over which this Court has original jurisdiction under 28
11 U.S.C. § 1332, and is one that may be removed to this Court by Target pursuant to the provisions of
12 28 U.S.C. § 1441 because it is a civil action between citizens of different states and the amount in
13 controversy exceeds \$75,000, exclusive of interest and costs.

14
15 DATED: July 30, 2021

MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP

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18 By: /s/ David V. Roth
19 David V. Roth
20 Attorneys for Defendant TARGET
21 CORPORATION
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DECLARATION OF DAVID V. ROTH

I, David V. Roth, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am a partner with Manning & Kass, Ellrod, Ramirez, Trester LLP, attorneys of record for Defendant Target Corporation (“Target”). I have personal knowledge of the facts set forth herein, except as to those matters stated on information and belief, as to which I believe them to be true. If called as a witness, I could and would competently testify thereto. I make this declaration in support of Target’s Notice of Removal of Action.

2. On June 10, 2021, Plaintiff Michelle Arendes filed this action in the Superior Court of California, County of Contra Costa, as case number FCS056661. A true and correct copy of the Summons and Complaint is attached hereto as **Exhibit A**.

3. Target accepted service of Plaintiff’s Complaint on June 24, 2021. A true and correct copy of the Service of Process Transmittal is attached hereto as **Exhibit B**.

4. On July 30, 2021, Target filed its Answer to Plaintiff’s Complaint. A true and correct copy of Target’s Answer is attached hereto as **Exhibit C**.

5. I am informed, and on that basis believe, that Plaintiff Michelle Arendes is, and was, at the time she filed this action, a citizen of the State of California.

6. Target is a Minnesota corporation with its principal place of business located in Minneapolis, Minnesota.

7. On June 24, 2021, Plaintiff served a Statement of Damages indicating that she is seeking damages from Target in the amount of \$340,000. A true and correct copy of Plaintiff’s Statement of Damages is attached hereto as **Exhibit D**.

8. This action is a civil action, over which this Court has original jurisdiction under 28 U.S.C. § 1332, and is one that may be removed to this Court by Target pursuant to the provisions of 28 U.S.C. § 1441 because it is a civil action between citizens of different states and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed on July 30, 2021, at San Francisco, California.

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5 /s/ David V. Roth
6 David V. Roth
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MANNING & KASS
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ATTORNEYS AT LAW

DEMAND FOR JURY TRIAL

Defendant TARGET CORPORATION hereby demands trial of this matter by jury.

DATED: July 30, 2021

**MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP**

By: /s/ David V. Roth

David V. Roth
Attorneys for Defendant TARGET
CORPORATION

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